

ASSEMBLY BILL

No. 922

Introduced by Assembly Member Salinas

February 18, 2005

An act to add Sections 1452 and 1453 to, and to repeal Chapter 11 (commencing with Section 1500) of Division 6 of the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 922, as introduced, Salinas. Veterans cemeteries: Central Coast Veterans Cemetery: Governor's Commission on State Veterans Cemeteries.

(1) Existing law requires the Department of Veterans Affairs, in voluntary cooperation with the Monterey County Board of Supervisors, to develop a master plan for a veterans cemetery on the grounds of former Fort Ord in Monterey County that will be owned and operated by the state.

This bill would require the department, in voluntary cooperation with the Monterey County Board of Supervisors, to design, develop, and construct a state-owned and state-operated Central Coast Veterans Cemetery to be located at the former Fort Ord. The bill also would (a) require the department to oversee and coordinate the design, development, and construction of the cemetery, (b) establish fees for interment in the cemetery of spouses and children of honorably discharged veterans, (c) provide that the Central Coast Veterans Cemetery Master Development Fund is a continuously appropriated fund for the design, development, construction, and equipping of the cemetery, and (d) establish the Central Coast Veterans Cemetery Perpetual Maintenance Fund for the maintenance of the cemetery.

The bill would express the intent of the Legislature that the Monterey County Board of Supervisors establish a trust fund for receipt of donations for the annual maintenance costs of the cemetery.

(2) The bill would require the department to apply to the State Cemetery Grant Program of the federal Department of Veterans Affairs for a grant of not more than \$10,000,000, which amount represents 100% of the estimated cost for designing, developing, constructing, and equipping the cemetery.

(3) Under existing law, the Governor's Commission on State Veterans Cemeteries is required to establish the need for state veterans' cemeteries, and locate and prioritize sites for the future construction of those cemeteries.

This bill would repeal the provisions relating to the creation of, and the duties imposed on, the Governor's Commission on State Veterans Cemeteries.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1452 is added to the Military and
2 Veterans Code, to read:

3 1452. (a) (1) The Department of Veterans Affairs, in
4 voluntary cooperation with the Monterey County Board of
5 Supervisors as specified in Section 1450, shall design, develop,
6 and construct a state-owned and state-operated Central Coast
7 Veterans Cemetery that shall be located on the site of the former
8 Fort Ord.

9 (2) The department shall oversee and coordinate the design,
10 development, and construction of the cemetery.

11 (b) (1) Those eligible for interment in the cemetery are all
12 honorably discharged veterans and their spouses and children. A
13 fee of five hundred dollars (\$500) shall be charged for each
14 spouse or child interred in the cemetery.

15 (2) For the purposes of this subdivision, the department shall
16 adopt regulations to specify the eligibility requirements for
17 interment in the cemetery.

18 (3) All fees received pursuant to paragraph (1) shall be
19 deposited in the Central Coast Veterans Cemetery Perpetual
20 Maintenance Fund created pursuant to Section 1453.

1 SEC. 2. Section 1453 is added to the Military and Veterans
2 Code, to read:

3 1453. (a) All moneys received for the design, development,
4 and construction of the cemetery shall be deposited in the Central
5 Coast Veterans Cemetery Master Development Fund, created
6 pursuant to Section 1451. Notwithstanding Section 13340 of the
7 Government Code, money in the fund is continuously
8 appropriated to the department for the purpose of designing,
9 developing, constructing, and equipping the cemetery. Moneys
10 appropriated by the Legislature for these purposes shall also be
11 deposited in the fund.

12 (b) (1) All moneys received for the maintenance of the
13 cemetery, including moneys received pursuant to subdivision (b)
14 of Section 1452, shall be deposited in the Central Coast Veterans
15 Cemetery Perpetual Maintenance Fund, which is hereby created
16 in the State Treasury. Any state funding for the annual
17 maintenance of the cemetery shall be appropriated by the
18 Legislature in the annual Budget Act.

19 (2) It is estimated that, after the construction of the cemetery,
20 four hundred fifty thousand dollars (\$450,000) should be
21 appropriated annually by the state or by various local sources, or
22 both, to the department for the operating costs of the cemetery.

23 (3) Expenditures for maintenance may not be more than six
24 hundred thousand dollars (\$600,000) per calendar year.

25 (4) It is the intent of the Legislature that the Monterey County
26 Board of Supervisors establish a trust fund for receipt of
27 donations for the annual maintenance costs of the cemetery.

28 SEC. 3. Chapter 11 (commencing with Section 1500) of
29 Division 6 of the Military and Veterans Code is repealed.

30 SEC. 4. It is the intent of the Legislature that the state apply
31 for and receive the maximum amount of federal funds available
32 for the construction and development of the Central Coast
33 Veterans Cemetery. Accordingly, the Department of Veterans
34 Affairs shall apply to the State Cemetery Grant Program of the
35 federal Department of Veterans Affairs for a grant of not more
36 than ten million dollars (\$10,000,000), which amount represents
37 100 percent of the estimated cost for designing, developing,
38 constructing, and equipping the cemetery.

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